



**Remarks Before House Judiciary Committee
In support of HB House Bills 4518 and 4594-4596.
May 26, 2009 (deferred from May 6)**

Article 37 of the UN Convention on the Rights of the Child states, in part: "Both capital punishment and life imprisonment without the possibility for release are prohibited for offenses committed by persons below 18 years." Every country in the world has signed this Convention, including the U.S. Every country-- except the U.S. and Somalia--has also ratified this Convention.

Michigan holds the proud record of having abolished the death penalty in 1847--before any other English-speaking jurisdiction in the world. However, today, Michigan is one of 26 states that sentence juveniles convicted of murder to mandatory life imprisonment without the possibility of parole. According to Amnesty International, Michigan has more than 300 youths serving life without parole; 52.87 per 100,000 14-17 year olds are serving life sentences (second highest among 40 states reporting); and, most disturbing, 12.4 black youths are sentenced for every one white youth.

We urge you, therefore, to support the adoption and enactment of state legislation that eliminates the sentence of life without parole for any crime committed by a child under the age of eighteen.

Children can and do commit terrible crimes; however, when they do, they should be held accountable in a manner that reflects both their diminished culpability and their special capacity for rehabilitation. Children do not have adults' developed abilities to think, to weigh consequences, to make sound decisions, to control their impulses, and to resist group pressures. Children, who by law are not responsible enough to vote, to live on their own, to sign contracts, to sit on a jury or get married without parental consent are surely too young to be treated as fully responsible adults and sentenced to spend the rest of their lives in a prison cell without any chance of review or parole.

Until the sentence of life without parole for children is abolished, we urge you to review clemency applications of all child offenders already sentenced to life without parole and commute their sentences to terms of years or give clemency. In reviewing clemency applications, please take into account the international legal prohibition against life without parole for persons under the age of eighteen.

Justice requires a sentence commensurate with both the nature of the crime and the culpability of the offender. To begin to address this issue, we urge you to develop and publish annual statistics on youth in the adult criminal justice system, including: demographic information (age, race, sex), data on children tried in criminal court, the manner by which each child reached criminal court (e.g., transfer, direct file), the nature of the crimes alleged, existence of prior adult record, and if convicted, the precise sentence received.

On behalf of this important group of Michigan children, thank you for your time and attention today.

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References: www.amnestyusa.org/us-human-rights/child-life-without-parole/page